

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

POLLIANA W. TSOI,  
Plaintiff,

v.

EPISCOPAL COMMUNITY SERVICES  
OF SAN FRANCISCO,  
Defendant.

Case No. [14-cv-02333-RS](#) (MEJ)

**ORDER TO SHOW CAUSE AND  
ORDER VACATING HEARING AND  
STAYING BRIEFING DEADLINES ON  
PLAINTIFF'S MOTION TO BE  
EXEMPTED FROM THE  
SETTLEMENT CONFERENCE**

Dkt. Nos. 40, 41

On August 7, 2015, the parties in the above-captioned matter were scheduled to attend a court-ordered settlement conference with the undersigned magistrate judge. Dkt. Nos. 29 (Judge Seeborg's Order Referring Case to Judge James for Settlement Conference), 32 & 33 (Judge James' Orders Setting Settlement Conference). Although the Defendant arrived as scheduled, Plaintiff never appeared. Dkt. No. 40. However, that same day, Plaintiff filed a motion to be exempted from the settlement conference. Dkt. No. 41. This motion is handwritten and largely illegible, and the Court cannot ascertain the basis for Plaintiff's motion or whether it addresses why she did not comply with the Court's Orders requiring her to attend the August 7 settlement conference. Furthermore, by filing the motion on the same day as the settlement conference, Plaintiff did not give either Defendant or the Court the opportunity to consider her motion beforehand.

In light of the foregoing, the Court hereby **ORDERS** Plaintiff Polliana W. Tsoi to show cause why she failed to attend the court-ordered August 7 settlement conference. Plaintiff shall file a declaration **by August 26, 2015**. If Plaintiff is unable to provide a typewritten declaration,

1 she shall at least ensure that it is clear and legible. If she files a responsive declaration, the Court  
2 shall either issue an order based on the declaration or conduct a hearing before Judge James **on**  
3 **September 3, 2015** at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San  
4 Francisco, California. Notice is hereby provided to Plaintiff that the Court may issue sanctions if  
5 no responsive declaration is filed. Thus, it is imperative that the Court receive a written response  
6 by the deadline above.

7 Additionally, regarding Plaintiff's motion to be exempted from the settlement conference,  
8 the Court **VACATES** the related September 11, 2015 hearing and **STAYS** related briefing  
9 deadlines on (including Defendant's response and Plaintiff's Reply) pending the resolution of the  
10 foregoing Order to Show Cause.

11 **IT IS SO ORDERED.**

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13 Dated: August 12, 2015

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16 MARIA-ELENA JAMES  
17 United States Magistrate Judge  
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